

Message Text

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ERDA-07 AID-05 CEA-01 CIAE-00 CIEP-02 DODE-00 FPC-01

H-02 INR-07 INT-05 L-02 NSAE-00 NSC-05 OMB-01 PM-03

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E.O. 11652: N/A

TAGS: PFOR, ENRG, EIND, BL, BDIS

SUBJECT: GOB ORDERS DETENTION OF GULF EXECUTIVES

SUMMARY: PRESEIDENT BANZER ACTING THROUGH INTERIOR MINISTER ORDERED PUBLIC PROSECUTOR TO TAKE ACTION AGAINST GULF AND ITS PRESIDENT DORSEY AND LOCAL REP DORADO. PUBLIC PROSECUTOR ISSUED ORDER REQUIRING GULF TO SUPPLY INFORMATION ON WHO RECEIVED "CONTRIBUTIONS" AND UNDER WHAT CIRCUMSTANCES. HE ALSO ORDERED "DETENTION" OF TWO EXECUTIVES. WE UNDERSTAND THAT "MANDAMIENTO DE DETENCION" CAN EITHER LEAD TO IMMEDIATE JAILING OR MERELY HOUSE ARREST. PRESIDENT'S ACTION IS PART OF EFFORT TO SHOW HE VIGOROUSLY SEEKING PIN DOWN FACTS OF CASE. EMBASSY TRANSMITS FOLLOWING TRANSLATION OF PRESIDENT'S STATEMENT AND PROSECUTOR'S ORDER WHICH APPEARED IN LA PAZ PRESS MORNING MAY 20. END SUMMARY.

1. PRESIDENT BANZER'S STATEMENT ADDRESSED TO INTERIOR MINISTER QUOTE COL. DEMA JUAN PEREDA ASBUN, MIN INTERIOR, MIGRATION AND JUSTICE. MR. MINISTER: THE BOLIVIAN PEOPLE
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AND GOVERNMENT HAVE BEEN DISTURBED BY THE DOMESTIC AND INTERNATIONAL

SCANDAL STARTED BY GULF OIL CORPORATION'S ACCUSATIONS REGARDING
"POLITICAL CONTRIBUTIONS" WHICH THAT COMPANY MAY HAVE MADE
IN BOLIVIA.

"IN LINE WITH THE UNAVOIDABLE POSITION WHICH MY GOVERNMENT HAS
ADOPTED FROM THE FIRST WHEN CONFRONTED BY THOSE PUBLIC
STATEMENTS, I ASK YOU TO CONVEY INSTRUCTIONS TO THE PUBLIC
PROSECUTOR (PROCEDA AL ENJUICIAMIENTO) AGAINST GULF OIL
CORPORATION FOR THE OFFENSES WHICH IT RECOGNIZES HAVING
COMMITTED BY THE HANDING OVER "POLITICAL CONTRIBUTIONS"
AND FOR HAVING DAMAGED THE NATIONAL DIGNITY. IN THE SAME WAY
(HE SHOULD BRING SUIT) AGAINST ALL THOSE THAT MAY BE POINTED
OUT BY THAT COMPANY AS SHARING IN SUCH "CONTRIBUTIONS,"
AND THUS DESERVING THE MAXIMUM PUNISHMENT FORESEEN IN OUR
CRIMINAL LAWS. COMPLIMENTARY CLOSE.
SIGNED, GRAL. HUGO BANZER SUAREZ, PRESIDENT OF THE REPUBLIC
END QUOTE.

2. THE ORDER OF THE CRIMINAL PROSECUTOR (FISCAL DEL DISTRITO
EN LO PENAL) ROLANDO SIMBRON. QUOTE: BY INSTRUCTION OF
HIS EXCELLENCY THE PRESIDENT OF THE REPUBLIC IT HAS BEEN
DECIDED TO ISSUE THIS ORDER SO AS A RESULT ORDINARY JUSTICE
MAY BE EXECUTED. THE PRESIDENT'S WISHES WERE EXPRESSED BY
A NOTE SENT TO THE MINISTER OF INTERIOR, MIGRATION AND JUSTICE
CONVEYING THE SENSE OF THE OPINION OF THE NATIONAL PUBLIC
AND SOCIETY, WHO HAVE BEEN DISTURBED BY THE NATIONAL AND
INTERNATIONAL NEWS RELEASES GROWING OUT OF STATEMENTS
DIVULGED BY THOSE PERSONS LEGALLY RESPONSIBLE FOR THE
COMPANY, GULF OIL CORPORATION, AND REVEALED LATER BY NOTES
SENT TO NATIONAL AUTHORITIES ADMITTING AND CONFESSING THE
DELIVERY OF MONEY AND OTHER VALUES (APORTES) AS "POLITICAL
CONTRIBUTIONS" IN OUR COUNTRY.

" THESE FACTS ARE CONTRARY TO THE BOLIVIAN JUDICIAL ORDER,
PUBLIC MORALS AND PATRIOTIC VALUES AND CONSTITUTE
OFFENSES DESCRIBED IN OUR CRIMINAL LAWS AS DAMAGING THE
PRESTIGE, DIGNITY AND RESPECTABILITY OF THE NATIONAL STATE
AND AS CAUSING SCANDAL WITH SERIOUS BAD EFFECT ON OUR INSTITUTIONS.

"SINCE IT IS THE DUTY OF THE PUBLIC PROSECUTOR ACCORDING TO
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ARTICLES 129 AND 131 OF THE CONSTITUTION AND (ARTICLE)
114 AND FOLLOWING (ARTICLES) OF THE CODE OF CRIMINAL PROCEDURES
AND (ARTICLE) 186 AND FOLLOWING (ARTICLES) OF THE JUDICIAL
ORGANIZATION LAW TO OBSERVE AND PROTECT GOVERNMENT INSTITUTIONS
AND DEFEND SOCIETY THROUGH THE APPLICATION OF THE LAW,
AND SINCE PUNISHMENT IS REQUIRED AND WILL BE APPLIED ESPECIALLY
AS IN THIS PRESENT CASE THE GULF OIL COMPANY THROUGH ITS
LEGAL REPRESENTATIVES BOTH IN THE U.S. AND IN LA PAZ HAVE

PUBLICLY ADMITTED WITH FULL RESPONSIBILITY TO THE COMMISSION OF OFFENSES RELATED TO ARTICLE 158 REFERRING TO 145 OF THE CURRENT CRIMINAL CODE ON BRIBERY AND INDUCEMENT: HENCE IN THE NAME OF THE STATE AND BOLIVIAN PEOPLE I REQUIRE THE FOLLOWING: THE CRIMINAL EXAMINATION OF THE COMPANY GULF OIL CORPORATION IN THE PERSON OF B. ROBERT DORSEY AND CARLOS DORADO CHOPITEA IN THEIR CAPACITY AS LEGAL REPRESENTATIVES OF SAID COMPANY, AND OF THOSE WHO MAY BE SHOWN TO BE GUILTY, COAUTHORS, ACCOMPLICES OR ACCESSORIES AFTER THE FACT IF THE OFFENSES ARE FOUND TO FALL WITHIN ARTICLES 142, 143, 144, 145, IN FINE, 146, 147, 148, 150, 151, 152, AND 158 OF THE CRIMINAL CODE.

1. IT IS ORDERED THAT GULF OIL CORP. INFORM THE COURT OF THE NAMES OF ALL PERSONS AND OTHER BACKGROUND REGARDING THE OFFENSES CHARGED.

2. SINCE THIS IS A FLAGRANT OFFENSE, THE CONFORMITY WITH ARTICLE 119 OF THE CODE OF CRIMINAL PROCEDURE IT IS ORDERED THAT AN ARREST WARRANT (MANDAMIENTO DE APREHENSION) BE ISSUED AGAINST THE ACCUSED R. ROBERT DORSEY AND CARLOS DORADO CHIPITEA.

3. THE ARRAIGNMENT OF THE ACCUSED IS ORDERED THROUGH THE ACTIONS OF THE MINISTER OF INTERIOR, MIGRATION AND JUSTICE AND POLICE AUTHORITIES. LA PAZ, MAY 19, 1975, SIGNED DR. ROLANDO SIMBRON VELASCO, DISTRICT CRIMINAL PROSECUTOR. END QUOTE. STEDMAN

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